IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 594 OF 2005

Sunil V. Moriyani ..Appellant

versus

C. T. Punjabi & Anr. ..Respondents

Ms. Gauri Godse for the Appellant.

Mr. G. K. Masand for the Respondents.

CORAM : D. G. DESHPANDE,J.

DATE : 27TH JUNE,2005.

ORAL ORDER :

. This Appeal is filed by the original applicant - father against the order of the Joint District Judge, Thane. His application for custody of the minor child was summarily dismissed without recording evidence. Even the Respondents - grand parents had not filed reply.

. Therefore, by consent, this order is set aside. The matter is remanded back to the District Judge, Thane. If in the meantime the respondents - grand parents to whom the application has been returned for proper presentation, do file their application within 15 days from the date of their appearance before the District Judge, Thane, then the District Judge may

decide both these applications i.e. application of the father and the grand parents within six months after giving full opportunity to the parties to complete their pleadings and adduce their evidence and hearing.

. In the meantime access as granted to the father shall continue.

. Parties to appear before the District Judge, Thane, on 11.7.2005 along with copy of this order.

27.6.05 (D.G. DESHPANDE, J.)